

STATEMENT OF PURPOSE

RS20062C2

Prior to this year, Idaho Department of Health and Welfare, Child Support Program, was operating under the interpretation that child support arrears could be collected indefinitely, provided collection activities have been commenced prior to the running of the statute of limitations. A recent court decision has placed continued reliance on that interpretation in question. Under the court's interpretation, Idaho would have the shortest period of time in which child support arrears are enforceable in the country. Furthermore, if the courts interpretation were applied, Idaho Child Support Services would have to write off more than \$63,000,000 in unpaid child support arrears, approximately \$20,000,000 of which is owed to the State. Finally, the Child Support Program would be at risk for claims of reimbursement of approximately \$11,500,000 for amounts collected in the last three years on cases where the collection window had expired.

FISCAL NOTE

Without this change, all state debt where collection activities had been unsuccessful prior to the running of the statute of limitations would be uncollectible. Currently that amount stands at approximately \$20,000,000 and continues to grow monthly. The program could be ordered to reimburse child support obligors for child support collected by the Department after the running of the statute which is currently approximately \$11,500,000.

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